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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 EDUARDO LACAYO,
15 Defendant.

No. CR 16-0177 CRB

**STIPULATION AND ORDER TO
CONTINUE HEARING AND TO EXCLUDE
TIME**

Date: December 21, 2016
Time: 2:00 p.m.

16 This matter is set for further setting or plea on December 21, 2016. The parties request that this
17 matter be continued to February 22, 2017 at 2:00 p.m. for an anticipated plea. (The parties sought an
18 earlier date but due to counsels' scheduling conflicts and trial schedules, combined with the dates of the
19 Court's availability, they are unable to set a date earlier than February 22, 2017 that would enable them
20 to complete their negotiations regarding the anticipated plea.)

21 The parties have made significant progress toward resolving the case but they will not be able to
22 finalize the terms of a plea agreement by December 21. The parties request that the Court exclude time
23 between December 21, 2016 and February 22, 2017 for effective preparation of defense counsel, taking
24 into account the exercise of due diligence, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). The
25 extension is not sought for delay, and the parties agree the ends of justice served by granting the

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1 continuance outweigh the best interests of the public and the defendant in a speedy trial.

2 Dated: December 3, 2016

Brian J. Stretch
United States Attorney

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4 /S/_____
Laura Vartain Horn
Assistant United States Attorney

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6 Dated: December 3, 2016

7 /S/_____
Mark R. Vermeulen
Attorney for Defendant
EDUARDO LACAYO

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9 ORDER

10 IT IS HEREBY ORDERED that this matter is continued to February 22, 2017 at 2:00 p.m. for an
11 anticipated plea.

12 IT IS FURTHER ORDERED that the time between December 21, 2016 and February 22, 2017
13 is excluded pursuant to the Speedy Trial Act for effective preparation of defense counsel, taking into
14 account the exercise of due diligence, and pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). Based
15 upon the parties' stipulation, the Court finds that the extension is not sought for delay and the ends of
16 justice served by granting the continuance outweigh the best interests of the public and the defendant in
17 a speedy trial.

18 IT IS SO ORDERED.

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20 Dated: December 5, 2016

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22 CHARLES R. BREYER
23 United States District Judge
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